

Remarks

Reconsideration of this Application is respectfully requested. Claims 35 and 38-63 and 65-66 are pending in the application, with claims 35, 41, 48 and 63 being independent claims. Based on the foregoing amendments and the following Remarks, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections.

Examiner Interview

Applicants appreciate the courtesies extended during the telephone interview conducted on July 27, 2004. During the interview, claims 49, 50, 52 and 56-58 were discussed. Applicants noted that the cited reference does not include the recesses in the support tray. The Examiner suggested filing a reply setting forth the various arguments. The Examiner indicated that claims 49, 50 and 52 appeared to overcome the rejection, but that further search may be required.

Rejections Under 35 U.S.C. 103(a)

Claims 35, 38, 39, 40, 48-50, 52-61 and 63-66 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,305,299 to Ragland ("the Ragland patent") in view of U.S. Patent No. 6,298,793 to Turner et al. ("the Turner patent"). The rejection based on the Turner patent is only applied to certain dependent claims, and therefore, is not directly addressed below.

The Ragland patent discloses a snack tray that is attachable to a child's car seat. The tray includes a base and a tray that are coupled together by a latch portion. The latch

portion includes a top inwardly extending member 26 and a bottom inwardly extending member 28 on the base and outwardly extending members 36, 38 on the tray. The outwardly extending members 36, 38 of the tray engage the inwardly extending members 26, 28 of the base. (See, Figures 2, 3 and col. 5, ll. 28-43).

Independent Claim 35 and its Dependent Claims

Claim 35 recites “a coupling member disposed on said body portion, and including a protrusion having an inclined surface, said coupling member adapted to releasably and mechanically engage a recess formed in the support within the cavity of the support.” The Ragland patent fails to disclose or suggest a coupling member including *a protrusion having an inclined surface* that engages *a recess* formed in the support. As discussed above, the latching mechanism of the Ragland patent does not include such a configuration. For at least this reason, claim 35 is allowable over the Ragland patent. Based at least on their dependence upon independent claim 35, dependent claims 38-40 and 55-61 are also allowable.

Independent Claim 48 and its Dependent Claims

Independent claim 48 recites “a first tray having a body portion and a perimeter portion . . . said perimeter portion including a latch disposed on a lower surface thereof; and a . . . second tray having an upper surface with a cavity formed therein and defined by a rim extending around said cavity, said rim including a recess formed therein, said latch of said first tray being selectively coupleable with said recess to retain said first tray in said cavity.” As discussed above, the Ragland patent fails to disclose or suggest a latch assembly that includes a latch/protrusion on a first tray that engages a recess on a

second tray. For at least this reason, independent claim 48 is allowable. Based at least on their dependence upon independent claim 48, dependent claims 49-54 are also allowable.

Independent claim 63 and its Dependent Claims

Claim 63 recites “a support having a cavity formed therein, said cavity being defined by a rim and a lower surface within said rim . . . said support includes a recess formed in said rim; and a liner disposable within said cavity and covering substantially all of said lower surface, said liner having . . . [a] coupler positively engaging said recess in said support and coupling said liner to said support such that said liner is releasably engageable with said support.” As discussed above, the Ragland patent fails to disclose or suggest a coupler on a tray liner that positively engages a recess in a support. The latching mechanism of the Ragland patent does not include such a configuration. For at least this reason, claim 63 is allowable over the Ragland patent. Based at least on their dependence upon independent claim 63, dependent claims 65 and 66 are also allowable.

Allowable Subject Matter

Applicants appreciate the Examiner’s indication of allowable subject matter in the application. The Examiner indicated that claims 41-47 and 51 are allowable over the art of record. The Examiner also objected to claim 62 as being dependent upon a rejected base claim. Claim 62, however, depends from allowed claim 41. Accordingly, claim 62 is also allowable.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed or rendered moot. Applicants therefore respectfully request that the Examiner reconsider

and withdraw all presently outstanding rejections. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

COOLEY GODWARD LLP

Date: October 19, 2004

By:



Erik B. Milch

Reg. No. 42,887

COOLEY GODWARD LLP
11951 Freedom Drive
Reston Town Center
Reston, Virginia 20190-5656
(703) 456-8000 – Phone
(703) 456-8100 - Facsimile